

BEFORE THE  
SHORELINES HEARINGS BOARD  
AND  
POLLUTION CONTROL HEARINGS BOARD  
STATE OF WASHINGTON

IN THE MATTER OF )  
STATE OF WASHINGTON, )  
DEPARTMENT OF ECOLOGY, and )  
SLADE GORTON, ATTORNEY GENERAL, )  
and P.R.O.W. (PROTECTING AND )  
RESTORING OUR WATERFRONTS), a )  
Washington non-profit corporation, )  
and CAROL BRITTON, WILLIAM BRITTON, )  
ROBERT TURPIN and JUSTINE TURPIN, )

Appellants, )

v. )

CITY OF OLYMPIA, PORT OF OLYMPIA, )  
WASHINGTON STATE DEPARTMENTS OF )  
FISHERIES, GAME and ECOLOGY and )  
ALL APPROVING AGENCIES, )

Respondents. )

PCHB No. 910  
SHB Nos. 200, 200-A

ECPA No. 3

ORDER OF REMAND  
AND DISMISSAL

Pre-hearing conferences were held in this matter on November 14,  
1975, December 3, 1975, and December 9, 1975. Having considered the  
results of these conferences and the files pertinent to this request  
for review, it is apparent to the Boards that no hearing on the merits

of this matter can proceed without clarification and refinement of the action and proceedings below. Specifically, clarity and refinement are necessary as to:

1) the acceptance by the Department of Ecology of the validity of the certification required under RCW 90.62.100(1),

2) a consensus as to the actual scope and parameters of the proposed project,

3) an identification of those state and/or local agencies which do in fact have "permit" requirements as defined in RCW 90.62.020(4) applicable to the proposed project.

4) a consequent determination as to which state and/or local agencies were required to issue a "final decision" as defined in RCW 90.62.060(4) to be transmitted per RCW 90.62.060(6), and

5) the particular documents and proceedings which are deemed to constitute the record below in this matter.

RCW 90.62.040 et seq. having given the Department of Ecology statutory responsibility for the effective and expeditious processing of master applications and there being no objection by any party to the entry of this Order, now therefore

IT IS ORDERED that SHB 200, 200-A, and PCHB 910, consolidated by the Boards as E.C.P.A. 3, be and the same is hereby remanded to the Department of Ecology for further action and/or proceedings pursuant to its statutory responsibilities and the concerns stated as 1) through 5) of this Order.

ORDER OF REMAND  
AND DISMISSAL

IT IS FURTHER ORDERED that the request for review captioned

E.C.P.A. 3 be and the same is hereby dismissed without prejudice as to  
any future appeal filed from a transmittal executed by the Department of  
Ecology pursuant to RCW 90.62.040(6) and responsive to the remand of  
the Boards.

DATED this 6<sup>th</sup> day of January, 1976.

SHORELINES HEARINGS BOARD

POLLUTION CONTROL HEARINGS BOARD

Chris Smith  
CHRIS SMITH, Chairman

Chris Smith  
CHRIS SMITH, Chairman

Ralph A. Beswick  
RALPH A. BESWICK, Member

W. A. Gissberg  
W. A. GISSBERG, Member

W. A. Gissberg  
W. A. GISSBERG, Member

Walt Woodward  
WALT WOODWARD, Member

Walt Woodward  
WALT WOODWARD, Member

ORDER OF REMAND  
AND DISMISSAL